

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WATERS,

Plaintiff,

v.

LOS ANGELES COUNTY SHERIFF
DEPUTIES, et al.,

Defendants.

Case No. [23-cv-06470-SVK](#)

ORDER OF TRANSFER

Plaintiff is an inmate in the Los Angeles County Jail. He filed a letter complaining about the conditions of his confinement and the actions of a number of unnamed Los Angeles County Sheriff Deputies. The Clerk sent him a notice to file a complaint on the court's complaint form.

Venue may be raised by a federal court sua sponte where a defendant has not yet filed a responsive pleading and the time for doing so has not run. *Costlow v. Weeks*, 790 F.2d 1486, 1488 (9th Cir. 1986). Venue generally is proper in a judicial district in which: (1) any defendant resides, if all defendants are residents of the state in which the district is located; (2) a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) any defendant is subject to the court's personal jurisdiction, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b).

This judicial district is not the proper venue for this case because none of the Defendants are located in this district, and the events giving rise to Plaintiff's claims did not occur here. Where a case is filed in the wrong venue, the district court has the discretion either to dismiss the case or transfer it to the proper federal court "in the interest of justice." 28 U.S.C. § 1406(a). The proper venue for this case is the United States Court for the Central District of California because

that is where Defendants are located and the events giving rise to Plaintiff's claims took place.
See 28 U.S.C. § 1391(b)(2). In the interests of justice, this case is TRANSFERRED to the United
States District Court for the Central District of California pursuant to 28 U.S.C. § 1406(a).

The Clerk shall transfer this matter forthwith.

SO ORDERED.

Dated: December 19, 2023



Susan van Keulen
United States Magistrate Judge